UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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CIVIL MINUTES - GENERAL

Case No.	CV 13-7946 CAS (MRWx)	Date	January 2, 2014
Title	KEVIN WILSON V. J.P. ALLEN COMPANY, ET AL.		

Present: The Honorable	CHRISTINA A. SNYDER	
Catherine Jeang	Not Present	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants
Not Present	Not Present

Proceedings: **(In Chambers:)** MOTION TO STRIKE (Dkt. #14, filed Oct. 31, 2013)

The Court finds this motion appropriate for decision without oral argument. Fed. R. Civ. P. 78; Local Rule 7-15. Accordingly, the hearing date of January 6, 2014, is vacated, and the matter is hereby taken under submission.

On June 19, 2013, plaintiff Kevin Wilson filed this action in the United States District Court for the Southern District of California against defendants J.P. Allen Company dba Holiday Inn Burbank-Media Center ("J.P. Allen") and Does 1 through 10. Dkt. #1. Plaintiff asserts a claim for negligence against J.P. Allen, and also alleges that "XYZ Insurance Company," an insurance company whose name is unknown at this time, is liable for J.P. Allen's negligence by virtue of its status as J.P. Allen's insurer. Id. This case was transferred to this Court on October 15, 2013. Dkt. #9.

On October 31, 2013, J.P. Allen filed a motion to strike all references to "XYZ Insurance Company" from the complaint pursuant to Federal Rule of Civil Procedure 12(f). Dkt. #14. Pursuant to Local Rule 7-9, plaintiff's opposition to this motion was due on December 16, 2013. As of December 31, 2013, plaintiff has not filed an opposition. Pursuant to Local Rule 7-12, failure to file an opposition may be deemed consent to the granting of a motion. Accordingly, J.P. Allen's motion to strike is hereby GRANTED.

Plaintiff shall have until **January 28, 2014**, to file an amended complaint.

IT IS SO ORDERED.

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Initials of Preparer		CMJ	